

COUNTY TREASURER:  
COST IN CRIMINAL CASES:  
FEES:

County treasurer to turn over to state treasury or county revenue fund all uncalled for fees at the end of the next term of court following receipt of the criminal cost fee bills.

April 5, 1951

4-5-51



Honorable Meredith Garten  
State Senator  
Capitol Building  
Jefferson City, Missouri

Dear Sir:

This department is in receipt of your recent opinion request which reads in part as follows:

"The new county treasurer at Mt. Vernon in Lawrence County wants your opinion about what disposition to make of witness and other criminal fees that have accumulated during the years and are uncalled for. \* \* \*"

Section 550.300, RSMo 1949, provides:

"At the end of each term of court after the receipt of each criminal cost fee bill from either the state auditor or the county clerk, the treasurer shall strike a balance of the same, and shall turn over the amounts collected on account of the various items of indebtedness herein mentioned to the various funds to which they belong. And all uncalled for fees paid by the state shall be promptly transmitted to the state collector of revenue who shall deposit the same in the state treasury, and those paid by the county shall be turned over to the credit of the county revenue fund."

This section provides for the disposition of uncalled for fees arising in criminal matters and provides that this disposition shall be made "at the end of each term of court after

Honorable Meredith Garten

receipt of each criminal cost fee bill." Therefore, while Section 50.500, RSMo 1949, provides that uncalled for fees arising in civil matters are to be disposed of at the end of one year after receiving such, the legislature has seen fit to provide that uncalled for fees arising in criminal matters be disposed of at the end of the next full term of court following receipt of same by the county treasurer.

CONCLUSION

It is therefore the opinion of this department that the county treasurer, at the end of the next full term of court following receipt of the criminal cost fee bills, shall transmit to the state collector of revenue all uncalled for fees arising in criminal matters paid by the state and turn over to the credit of the county revenue fund all such fees paid by the county.

Respectfully submitted,

RICHARD H. VOSS  
Assistant Attorney General

APPROVED:

  
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J. E. TAYLOR  
Attorney General